

Prisons (Orissa Amendment) Act, 1958

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Prisons (Orissa Amendment) Act, 1958

An Act to amend the Prisons Act, 1894 in its application to the State of Orissa Whereas it is expedient to amend the Prisons Act, 1894 (9 of 1894) in its application to the State of Orissa, in the manner hereinafter appearing; It is hereby enacted by the Legislature of the State of Orissa in the Ninth Year of the Republic of India as follows: **. Published vide Orissa Gazette Ext./19.11.1958. For Statement of Objects and Reasons see Orissa Gazette Ext. No. 340/20-8-1958.

1. Short Title :-

This Act may be called the Prisons (Orissa Amendment) Act, 1958.

2. Amendment Of Section 3 :-

In Section 3 of the Prisons Act, 1894 (Act 9 of 1894) (hereinafter referred to as the said Act), for Clause (5) the following clauses shall be substituted, namely:

"(5) remission system means the system of regulating the award of marks to, and the consequent shortening of sentences of prisoners in jail in accordance with the rules for the time being in force;

(5-a) furlough system means the system of releasing prisoners in jail on furlough in accordance with the rules for the time being in force."

3. Amendment Of Section 46 :-

In Section 46 of the said Act-

- (i) in Clause (4) for the words "the remission system" the words "the remission or furlough system" shall be substituted;
- (ii) Clause (5) shall be omitted.

4. Amendment Of Section 47 :-

In Section 47 of the said Act, in Clause (4) of Sub-section (1) for the words "the remission system" the words "the remission or furlough system" shall be substituted.

5. Insertion Of New Section 48-A To Act 9 Of 1894 :-

After Section 48 of the said Act, the following new section shall be inserted, namely:

"48-A. Punishment for breach of conditions of suspension of sentence.-If any prisoner fails without sufficient cause to observe any of the conditions on which his sentence was suspended or remitted or furlough was granted to him, he shall be deemed to have committed a prison offence and the Superintendent may after obtaining his explanation, punish such offence by-

- (1) a formal warning as provided in Clause (1) of Section 46; or
- (2) reduction in grade if such prisoner has been appointed as an officer or prison; or
- (3) loss of privileges admissible under the remission or furlough system; or
- (4) loss of such other privileges as the State Government may by a general or special order, direct."

6. Amendment Of Section 59 :-

In Section 59 of the said Act, for Clause (5) the following clause shall be substituted, namely:

- (5) for the award of marks, granting remission or furlough, determining the conditions on which and the authority by which such remission or furlough shall be granted and the consequent shortening of the sentence."